

AND NOW, this 8th day of March, 2006;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is **DISMISSED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 2), filed on January 9, 2006, by Magistrate Judge Lenihan, is adopted as the opinion of the court.

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

The Honorable Kim R. Gibson
United States District Court Judge

cc: Lisa Pupo Lenihan
UNITED STATES MAGISTRATE JUDGE

Juan Galan
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